

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

HAROLD WALKER,

Plaintiff,

vs.

JAMES TILTON, et al.,

Defendants.

No. C 07-04228 JF (PR)

ORDER OF DISMISSAL

Plaintiff, proceeding pro se, filed the instant civil rights complaint pursuant to 42 U.S.C. § 1983. On February 22, 2008, the Court dismissed the complaint with leave to amend. Plaintiff filed a motion for an extension of time to file an amended complaint, which the Court granted by order filed April 7, 2008. On April 11, 2008, the copy of the order granting the extension of time mailed to Plaintiff was returned by mail to the Clerk of the Court as undeliverable because Plaintiff was paroled and no longer in custody. (Docket No. 11.) As of the date of this order, Plaintiff has not updated his address with the Court or submitted any further pleadings in this case.

Pursuant to Northern District Local Rule 3-11 a party proceeding pro se must promptly file a notice of change of address while an action is pending. See L.R. 3-11(a). The Court may,

1 without prejudice, dismiss a complaint when: (1) mail directed to the pro se party by the Court  
2 has been returned to the Court as not deliverable, and (2) the Court fails to receive within sixty  
3 days of this return a written communication from the pro se party indicating a current address.  
4 See L.R. 3-11(b).

5 More than sixty days have passed since the Court's order addressed to Plaintiff was  
6 returned as undeliverable. The Court has not received a notice from Plaintiff of a new address.  
7 Accordingly, the instant civil rights action is DISMISSED without prejudice pursuant to Rule 3-  
8 11 of the Northern District Local Rules.

9 IT IS SO ORDERED.

10 DATED: 7/18/08

  
JEREMY FOGEL  
United States District Judge